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TECHNICAL SUPPORT

ORDINANCE NO. 2009-02

(22)

526994

No. \_\_\_\_\_

AT THE REQUEST OF:  
CITY OF MOSCOW m/POB 9-203  
MOSCOW ID 838413

DATE & HOUR:  
1-23-09 10:50 AM

SUSAN PETERSEN  
LATAH COUNTY RECORDER

Fee \$ 9 BY [Signature]

AN ORDINANCE AMENDING ORDINANCE NO. 2006-01 OF THE CITY OF MOSCOW, IDAHO, ESTABLISHING AND DECLARING IN THIS ORDINANCE CORPORATE LIMITS OF THE CITY OF MOSCOW, LATAH COUNTY, IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF THE LAWS OF THE STATE OF IDAHO RELATING TO THE ESTABLISHMENT OF THE BOUNDARIES AND THE ANNEXATION OF ADJACENT AND CONTIGUOUS TERRITORY; PROVIDING FOR REPEAL OF ANY OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERANCE AND SAVINGS CLAUSE: AND FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MOSCOW, IDAHO:

**SECTION 1:** The City of Moscow, Latah County, Idaho, shall embrace, include and contain within its corporate limits all the territory embraced, included and encompassed within the lines and boundaries as this Ordinance bounded and described.

**SECTION 2:** The boundaries and corporate limits of the City of Moscow, Latah County, State of Idaho, are hereby established and ordained to be as follows:

Beginning at the southwest corner of Section 16, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho; thence N89°34'31"E 2661.74 feet, along the south line of said Section 16; thence N00°02'41"E 388.57 feet along the centerline of a vacated 80' wide right-of-way situated between Lot 60 and Lot 61 of the Plat of Section 16 recorded in Book 2 of Plats at page 36, records of Latah County; thence N89°22'43"E 664.76 feet along a line parallel with and 271.5 feet south measured perpendicularly of the north line of said Lot 61 to the east boundary of said Lot 61; thence N00°14'20"W 1302.85 feet along the east boundaries of Lot 61, Lot 52, and Lot 45 of said Plat of Section 16 to a point on the northerly right-of-way line of State Highway 8; thence along said State Highway right-of-way line, westerly 354.22 feet along a curve concave to the north, said curve having a radius of 3780.00 feet, a central angle of 05°22'09", and a chord bearing S73°45'33"W 354.09 feet to the west line of the Cann Tract; thence N00°14'20"W, along said west line, 283.32 feet to the northwest corner of said Cann Tract; thence N89°45'40"E, along the north line of said Cann Tract, 225.37 feet to the intersection with the west line of the Mullalley Tract; thence N00°14'20"W along said west line 5.00 feet to the northwest corner of said Mullalley Tract; thence N89°45'40"E along the north line of said Mullalley Tract 115.00 feet to the east line of Lot 45 of said Section 16; thence N00°14'20"W along said east line 112.79 feet to the southeast corner of Lot 36 of said Section 16; thence N00°14'20"W, along the east line of said Lot 36, 620.00 feet to the northeast corner of said Lot 36; thence N00°14'20"W along the projected east line of said Lot 36 40.00 feet to the centerline of a vacated 80 foot right-of-way running East and West; thence East 660.00 feet along said vacated centerline to the centerline of a vacated 80.00 foot wide right-of-way running North and South; thence North 660.00 feet along said centerline; thence East 40.00 feet to the southwest corner of Lot 18 of said Section 16; thence East 620.00 feet along the south boundary of said Lot 18; thence North 620.00 feet along the east boundary of said Lot 18; thence continuing North 40.00 feet to the centerline of a vacated 80.00 foot wide right-of-way running East and West; thence West 660.00 feet along said centerline to the intersection with a

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partially vacated right-of-way running North and South; thence North 55.49 feet along said centerline to a point, said point being on a line parallel with and 25.00 feet distant of the southerly boundary line of the Moser Estates Fifth Addition to the City of Moscow, as shown on the plat of said addition recorded as Instrument No.410298, records of Latah County, Idaho; thence northeasterly 27.49 feet along a curve concave to the northwest, said curve having a radius of 1275.00 feet, a central angle of  $1^{\circ}14'08''$ , and a chord bearing  $N70^{\circ}10'04''E$  27.49 feet; thence leaving said parallel line  $N00^{\circ}38'27''E$  26.84 feet to the southeast corner of said Moser Estates Fifth Addition; thence  $N00^{\circ}38'27''E$  43.11 feet along the easterly boundary of said Moser Estates Fifth Addition to a point on the northerly right-of-way line of Joseph Street; thence southwesterly along said northerly right-of-way line 35.00 feet along a curve concave to the northwest, said curve having a radius of 1210.00 feet, a central angle of  $1^{\circ}39'27''$ , and a chord bearing  $S69^{\circ}11'12''W$  35.00 feet; thence  $N14^{\circ}43'57''E$  133.79 feet along said easterly boundary of the Moser Estates Fifth Addition to a point on the easterly right-of-way line of a dedicated 80.00 foot wide public right-of-way as shown on the original plat of Section Sixteen, Township 39 North, Range 5 East, Boise Meridian, as recorded in Book 2 of Plats, Page 36 in the office of said Latah County Recorder; thence  $N00^{\circ}38'27''E$  1140.78 feet along said easterly right-of-way line, said line also being the westerly boundary line of the Hyden tract as described in Instrument Number 386319 recorded with said Recorder's office to the north line of said Section 16; thence  $N89^{\circ}29'38''W$  40.66 feet along said north line to the southeast corner of the southwest quarter of the southeast quarter of Section 9, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho; thence  $N00^{\circ}29'30''E$  1253.64 feet along the east line of said SW1/4 SE1/4 Section 9 to a point, said point bears  $S00^{\circ}29'30''W$  60.00 feet from the northeast corner of said SW1/4 SE1/4; thence  $N89^{\circ}30'22''W$  799.01 feet along a line southerly of, parallel with, and 60.00 feet distant (as measured perpendicularly) of the north line of said SW1/4 SE1/4 Section 9; thence  $N60^{\circ}04'39''E$  30.00 feet along the proposed easterly boundary of Moser Park; thence  $N17^{\circ}41'40''W$  47.17 feet along said proposed park boundary to a point on the north line of said SW1/4 SE1/4 Section 9; thence  $N54^{\circ}54'38''W$  84.31 feet; thence  $N77^{\circ}00'00''W$  385.00 feet; thence  $N00^{\circ}43'51''E$  171.17 feet; thence  $S77^{\circ}00'00''E$  10.00 feet; thence  $N13^{\circ}00'00''E$  120.00 feet; thence  $N77^{\circ}00'00''W$  126.86 feet to a point on the west line of the northwest quarter of the southeast quarter of said Section 9; thence  $N00^{\circ}43'51''E$ , along said west line, 711.58 feet to the southwest corner of a parcel of land described in Book of Deeds No. 145, page 61, records of Latah County, Idaho; thence  $S89^{\circ}30'E$  150.00 feet to the southeast corner of said parcel; thence North 120.00 feet to the northeast corner of said parcel, said corner also being on the south right-of-way line of "D" Street; thence, continuing North 60.00 feet, to the north right-of-way line of "D" Street; thence  $N89^{\circ}30'W$  150.00 feet, along said north right-of-way line, to the southeast corner of Lot "H" of Schumacher's Addition to the City of Moscow, Latah County, Idaho as recorded in Book 3 of Plats, page 9 in the office of the County Recorder of said county and state, said southeast corner also being the southeast corner of Lot 2, Block 8 of Val Halla Addition to the City of Moscow, Latah County, Idaho as recorded in Book 6 of Plats, page 4, in the office of the County Recorder of said county and state and also being on the longitudinal centerline of Section 9, Township 39 North, Range 5 West, Boise Meridian; thence  $N00^{\circ}03'30''W$  1004.70 feet, along said centerline, to a point  $S89^{\circ}26'E$  79.13 feet of the southeast corner of Stokes Addition to the City of Moscow, Latah County, Idaho as recorded in Book 6 of Plats, page 29 in the office of the County

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Recorder of said county and state, said point also being the northeast corner of Lot "H" and/or the southeast corner of Lot "G" of said Schumacher's Addition and also being the southeast corner of the William A. Flack (City of Moscow, Idaho) property; thence N00°03'30"W 1570.49 feet, along the east line of said Lot "G" and/or said longitudinal centerline to the northeast corner of said Lot "G"; thence N00°03'30"W 30.00 feet to the quarter corner on the north line of Section 9, Township 39 North, Range 5 West, Boise Meridian, said point also being the south quarter corner of Section 4, Township 39 North, Range 5 West, Boise Meridian and also being on the centerline of Mountain View Road; thence N00°20'44"W 30.00 feet along the longitudinal centerline of said Section 4, to an intersection with the north right-of-way line of Mountain View Road extended; thence N89°15'49"W 699.96 feet, along said extension and along said right-of-way line and 30.00 feet North of and parallel to the south line of said Section 4; thence South 60.00 feet and crossing Mountain View Road to an intersection with the north line of said Lot "G" of said Schumacher's Addition, said point also being on the south right-of-way line of said Mountain View Road; thence South 773.73 feet to an intersection with the north line of said Stokes Addition; thence N89°15'49"W 298.00 feet, along said north line, to an intersection with the east line of Paradise Meadows Addition to the City of Moscow, Latah County, Idaho as recorded in Book 6 of Plats, page 38 in the office of the County Recorder of said county and state, said point also being on the east line of Lot "C" of said Schumacher's Addition and also being the northwest corner of said Stokes Addition; thence North 268.20 feet, along said east line of said Paradise Meadows Addition, to the northeast corner of said addition, said corner also being the northeast corner of Lot "C" and the southeast corner of Lot "D" of said Schumacher's Addition; thence North 267.05 feet to the northeast corner of said Lot "D", said point also being the southeast corner of Lot "F" of said Schumacher's Addition; thence N89°15'49"W 990.0 feet to the southwest corner of said Lot "F", said corner also being an east corner of Lot 12 of the Cosner Subdivision of Portions of Lots "D" and "E" of the Schumacher's Addition to Latah County, Idaho as recorded in Book 5 of Plats, page 1 in the office of the County Recorder of said county and state; thence North 118.76 feet, along the west line of said Lot "F" and/or the east line of said future Lot 12, to the northeast corner of said future Lot 12; thence N89°15'49"W 315.12 feet, along the north line of said Lot 12 and the north line of Lot 11 of said Cosner Subdivision, to the southeast corner of the west one half (1/2) of the north one half (1/2) of said Lot "E" of Schumacher's Addition; thence North 118.92 feet, along the east line of said west one half (1/2) of the north one half (1/2) of said Lot "E", to the intersection with the south right-of-way line of Mountain View Road; thence North 60.00 feet to the north right-of-way line of Mountain View Road; thence N89°15'49"W 13.40 feet along said north right-of-way line; thence N00°06'33"E 1292.18 feet along the east boundary of the Slonaker tract as recorded in Warranty Deed No. 464459 on file with the office of the County Recorder of said county and state, to a point on the north boundary of the southwest quarter of the southwest quarter of said Section 4; thence N89°10'21"W 331.48 feet to the northwest corner of the southwest quarter of the southwest quarter of said Section 4; thence West 500.00 feet, along the north line of said southeast quarter of the southeast quarter; thence N37°48'19"W 797.04 feet, along the westerly boundary of the Trail Tract as described in Instrument No. 268495 as recorded in said office of the Latah County Recorder; thence North 480.75 feet, along the west line of said Trail Tract, to the south right-of-way line of Arborcrest Road; thence East 99.00 feet, along said right-of-way line; thence North 944.52 feet, along the east right-of-way line of said Arborcrest Road; thence N58°46'54"E 270.11 feet, along the northerly boundary of said



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Trail tract to a point on the southerly right-of-way line of Trail Road; thence North 29.23 feet to a point on the centerline of said Trail road, said point being North 907.50 feet and East 660.00 feet from the southwest corner of the southeast quarter of the northeast quarter of said Section 5; thence North 1534.50 feet, along the west boundary of said Trail Tract, to the north line of said Section 5, thence West 660.00 feet to the northwest corner of the northeast quarter of the northeast quarter of said Section 5; thence continuing West, along said north line, 30.00 feet to the west right-of-way line of Orchard Avenue; thence South 1452.00 feet along said west right-of-way line, parallel to and 30.00 feet West of the west line of the west half of the northeast quarter of said Section 5; thence East 5.00 feet, along said west right-of-way line; thence South 495.00 feet, along said west right-of-way line; parallel to and 25.00 feet West of the west line of the southeast quarter of the northeast quarter of said Section 5; thence West 8.00 feet, along said west right-of-way line; thence South 495.00 feet along said west right-of-way line, parallel to and 33.00 feet West of said west line of the southeast quarter of the northeast quarter to a point on the north line of the northwest quarter of the southeast quarter of said Section 5; thence N89°39'37"W 1282.38 feet to the northwest corner of the NW1/4 SE1/4 of said Section 5, said point being a brass cap monument; thence N89°39'37"W 1010.70 feet along the north line of the southwest quarter of said Section 5 to a point on the North Polk Extension Water and Sewer District boundary; thence North 200.00 feet along said district boundary; thence N89°39'37"W 229.43 feet along said district boundary to the centerline of North Polk Street; thence S01°34'23"W 125.03 feet along said centerline; thence N89°39'37"W 92.14 feet along said district boundary; thence South 75.00 feet along said district boundary to a point on the north line of said southwest quarter of Section 5; thence N89°39'37"W 1310.50 feet along said north line to the northwest corner of said southwest quarter of Section 5; thence N89°14'23"W 72.56 feet to the west right-of-way line of U.S. Highway 95; thence S00°45'37"W 734.16 feet along said right-of-way line; thence continuing along said right-of-way line southeasterly 52.28 feet along a non-tangent curve concave to the southwest, said curve having a radius of 623.67 feet, a central angle of 04°48'09", and a chord bearing S21°44'23"E 52.26 feet; thence continuing along said right-of-way line S0°45'35"W 346.94 feet; thence leaving said highway right-of-way line N78°52'45"W 75.35 feet to a point on the easterly line of an abandoned railroad right-of-way; thence N06°11'15"E 115.00 feet along said abandoned railroad right-of-way line; thence N42°33'45"W 336.50 feet; thence S89°52'15"W 986.78 feet; thence S00°51'15"W 1334.92 feet to a point, said point on a line parallel with and 124.67 feet northeasterly (as measured perpendicularly) distant from the easterly right-of-way line of North Almon Street; thence N35°09'45"W 149.77 feet along said parallel line, to a southeast corner of the KRPL, Inc. property as described in Instrument No. 254326, records of Latah County, Idaho; thence North 324.90 feet; thence S86°30'W 224.78 feet, to a point on a non-tangent curve on the east right-of-way line of North Almon Street, said point being the northwest corner of said KRPL, Inc. property; thence southerly 35.79 feet, along a curve concave to the east, said curve having a radius of 425.00 feet, a central angle of 04°49'30", and a chord bearing S00°35'36"E 35.78 feet; thence S03°01'E 116.23 feet, along said east right-of-way line, to a point of curvature of a tangent curve; thence southeasterly 158.39 feet along a curve concave to the east, said curve having a radius of 275.00 feet, a central angle of 33°00', and a chord bearing S19°31'E 156.21; thence S36°01'E 472.78 feet, along said east right-of-way line; thence S37°41'E 110.37 feet, along said east right-of-way line; thence leaving said right-of-way line, S86°30'W 72.53 feet to a point on the westerly right-of-way line of said North Almon Street and the

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northeast corner of the Harry Lee tract described in Warranty Deed No. 309520 as recorded in said office of the Latah County Recorder; thence continuing S86°30'W 924.27 feet to the northwest corner of said Harry Lee tract; thence S03°30'E 209.06 feet along the west boundary of said tract to a point on the north line of Section 7, Township 39 North, Range 5 West, Boise Meridian; thence S86°30'W 411.00 feet along said north line to the north 1/4 corner said Section 7; thence S00°10'E 1323.70 feet on the longitudinal centerline of said Section 7 to the southwest corner of the NW1/4 NE1/4 of said Section 7; said point also being the northeast corner of an easement described in Instrument No.223148 filed with said County Recorder; thence S86°24'W 1354.21 feet to the northwest corner of the SE1/4 NW1/4 of said Section 7; thence South 556.80 feet along the west boundary line of said SE1/4 NW1/4; thence S86°27'W 1355.77 feet, parallel with the south line of the SW 1/4 NW 1/4 of said Section 7, to a point on the west boundary line of said SW1/4 NW1/4; thence S88°35'30"W 1194.84 feet parallel with the north boundary line of the Palouse Empire Mall property; thence South 845.45 feet; thence West 1035.00 feet; thence North 820.00 feet; thence S88°35'30"W 413.24 feet to the longitudinal centerline of Section 12, Township 39 North, Range 5 West, Boise Meridian; thence S00°08'36"E 725.45 feet, along said centerline, to the northwest corner of a 20 foot wide private road described in Warranty Deed No. 225351, records of Latah County; thence N89°51'24"E 20.00 feet, along the north line of said private road; thence S00°08'36"E 966.49 feet, along the east boundary of said private road; thence S89°51'24"W 20.00 feet to the northeast corner of the U-Haul Company tract, said point also being a point on the longitudinal centerline of Section 12, Township 39 North, Range 6 West, Boise Meridian, and also being an east corner of a tract annexed by Ordinance No. 83-13; thence N00°08'36"W 933.49 feet, along said centerline and/or the east line of the tract annexed by said Ordinance No. 83-13, to the northeast corner of said tract, said corner being a point on the latitudinal centerline of Section 12, Township 39 North, Range 6 West, Boise Meridian; thence S89°56'48"W 1642.77 feet, along said centerline and/or the north line of said tract, to the west 1/4 corner of said Section 12 and/or the northwest corner of said tract, said corner being a point on the Idaho-Washington state line; thence S00°12'02"E 1460.87 feet, along said state line, to an intersection with the north right-of-way line of State Highway No. 8, said point being the southwest corner of the Appaloosa Horse Club tract; thence S00°12'02"E 140.00 feet, crossing said highway, to an intersection with the south right-of-way of said highway; thence S00°12'02"E, along said state line, 169.83 feet to the south right-of-way line of the Burlington Northern Railway Company; thence S00°12'02"E, continuing along said state line, 3457.21 feet to the northwest corner of the southwest quarter of Section 13, Township 39 North, Range 6 West, Boise Meridian; thence N89°31'16"E 4047.35 feet to the west quarter corner of said Section 13; thence S00°10'E, 2622.00 feet to the southeast corner of said Section 13; thence N87°08'E 803.10 feet, along the north boundary of the Gadwa tract described in Warranty Deed No. 447149, records of Latah County, said boundary being along the south line of Section 18, Township 39 North, Range 5 West, Boise Meridian; thence S00°24'00"E 419.23 feet, along the east boundary of said Gadwa tract, to the north right-of-way line of Palouse River Drive; thence S82°54'54"W 175.25 feet, along said north right-of-way line; thence continuing along said right-of-way line, 234.58 feet along a curve to the right, said curve having a radius of 1238.11 feet, a central angle of 10°51'21", and a chord bearing S88°20'34"W 234.23 feet; thence continuing along said right-of-way line, N86°13'45"W 354.67 feet; thence leaving said right-of-way line, S03°49'25"W 44.40 feet; thence S38°34'55"E 160.54 feet; thence S80°58'21"E 287.58 feet; thence S75°53'39"E 261.50 feet; thence

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N87°11'16"E 441.02 feet; thence S09°21'06"E 515.93 feet; thence S61°53'46"E 321.34 feet; thence S84°43'40"E 451.15 feet; S80°36'41"E 767.31 feet to the east line of the northwest corner of Section 19, Township 39 North, Range 5 West, Boise Meridian; thence North 838.92 feet, along said east line, to the southwest corner of the Allen Tracts Addition to the City of Moscow, Latah County, Idaho as recorded in Book 4 of Plats, Page 20 in the office of the County Recorder of said county and state; thence N87°12'E 306.00 feet; thence South 32.00 feet; thence S70°19'E 135.90 feet; thence N34°12'E 105.90 feet; thence N87°12'E 105.90 feet; thence N87°12'E 118.80 feet; thence S51°48'E 260.80 feet; thence N58°42'E 117.95 feet; thence North 115.00 feet; thence N87°12'E 306.00 feet; thence N64°28'E 338.80 feet, to the southeast corner of Tract 2 of said Allen Tracts Addition; thence S02°03'E 482.00 feet; thence S47°20'E 91.30 feet; thence S09°02'W 346.00 feet, parallel with the western right-of-way line of U.S. Highway 95; thence N86°46'E 317.70 feet, parallel with the south line of the Dexter Bailey tract as recorded in Book of Deeds 163, page 92, records of Latah County, Idaho, to a point on said western right-of-way line of U.S. Highway 95; thence N09°02'E 346.00 feet, along said western right-of-way line, to the southeast corner of said Dexter Bailey tract; thence continuing N09°02'E 220.00 feet, along said right-of-way line, to the southeast corner of Plot 1 of said Allen Tracts; thence continuing N09°02'E 374.80 feet, along said right-of-way line; thence S61°03'E 253.20 feet and crossing U.S. Highway 95 to a point on the easterly right-of-way line of said highway; thence N09°02'E 200.00 feet along said easterly right-of-way line; thence North 93.70 feet, to the northeast corner of Lot 7 of the South Palouse Tracts Addition to the City of Moscow, Latah County, Idaho as recorded in Book 4 of Plats, page 17 in the office of the County Recorder of said county and state, said point being also on the south line of a dedicated alley; thence East 302.30 feet, along the south right-of-way line of said alley; thence South 100.00 feet; thence East 100.00 feet to the east line of Section 19, Township 39 North, Range 5 West, Boise Meridian; thence N00°11'E 86.99 feet to a point which is S00°11'W 472.36 feet of the northeast corner of said Section 19; thence S72°15'E 1205.47 feet; thence N87°45'E 1537.60 feet, to a point on the longitudinal centerline of Section 20, Township 39 North, Range 5 West, Boise Meridian; thence N00°03'W 757.41 feet to the north 1/4 corner of said Section 20; thence S89°30'24"E 2659.84 feet along the south line of Section 17, Township 39 North, Range 5 West, Boise Meridian, to the southeast corner of said Section 17 and the point of beginning of the land herein described. Said corporate boundary, including the following described exception, contains 4,416 acres, more or less.

Excepting therefrom the following described parcel;

A tract of land located in the south half of the southwest quarter of Section 18 and the north half of the northwest quarter of Section 19, Township 39 North, Range 5 West, Boise Meridian, Latah County, Idaho, and being more particularly described as follows:

Beginning at the southeast corner of the southwest quarter of said Section 18; thence S87°08'00"W 576.90 feet along the south line of said Section 18 to a point on the easterly boundary of the Kirkland Subdivision plat recorded as Instrument No.404133, records of Latah County, and the TRUE POINT OF BEGINNING of this exception description; thence along said easterly boundary, S00°04'40"W 270.13 feet to the northerly right-of-way line of Palouse River Drive; thence along said northerly right-of-way line, S78°56'12"W 408.24 feet; thence continuing along said right-of-way line,

S79°46'32"W 9.41 feet; thence along the westerly boundary of said Kirkland Subdivision, N00°02'37"W 330.07 feet to a point on the south line of said Section 18; thence continuing along said westerly boundary of the Kirkland Subdivision, N00°02'37"W 219.82 feet; thence along the northerly boundary of said subdivision, N86°58'47"E 411.73 feet; thence along the easterly boundary of said subdivision, S00°07'08"W 221.45 feet to the TRUE POINT OF BEGINNING. Said exception tract contains 4.91 acres, more or less.

**The net area of the above described Corporate limits is 4,411 acres, more or less.**

**SECTION 3:** All that territory bounded and included within the lines set forth in Section 2 of this Ordinance is hereby declared and ordained to be within the Corporate limits of the City of Moscow, and to be and constitute the territory subject to the jurisdiction of the municipality of the City of Moscow, County of Latah, State of Idaho.

**SECTION 4:** This Ordinance is an amendment to Ordinance 2006-01 of the Ordinances of the City of Moscow, Idaho.

**SECTION 5:** This Ordinance repeals all ordinances or parts of ordinances in conflict with this Ordinance, insofar as said Ordinances in any way conflict with this Ordinance, are hereby repealed.

**SECTION 6:** If any section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this Ordinance, or the Ordinance as an entirety, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of such section, sentence, clause or phrase.

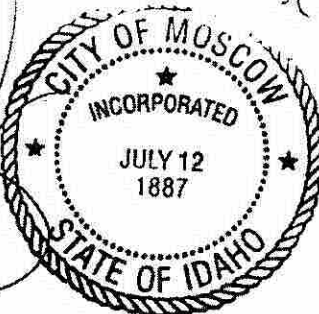
**SECTION 7:** This Ordinance shall be in full force and effect from and after the date of its passage, approval and first publication thereof.

ADOPTED this 20<sup>th</sup> day of January, 2009.

ATTEST:

Stephanie Kalasz, City Clerk

Nancy Chaney, Mayor



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